

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 5690**
Hirohisa IMAI et al. : Attorney Docket No. 2002_0110A
Serial No. 10/058,732 : Group Art Unit 3686
Filed January 30, 2002 : Examiner Lena Najarian
COMMUNICATION SYSTEM FOR : **Mail Stop: RCE**
INFORMATION OF MEDICAL
DOCTOR'S QUESTIONS TO PATIENTS,
TERMINAL APPARATUS FOR
MEDICAL DOCTOR AND TERMINAL
APPARATUS FOR PATIENT

INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.133(b), the Applicants make of record the telephone interview conducted in the above-identified application. A telephone interview (hereafter "interview") was conducted between Examiner Najarian of art unit 3686 and the Applicants' representative on January 22, 2009.

During the interview, distinguishable features between the present invention as recited in independent claim 1 (i.e., as exemplary independent claim), and the Jeacock reference (hereafter "Jeacock") were discussed in detail.

It was noted that in independent claim 1, the generating means generates, *upon receiving the question sets from the database server apparatus*, question programs which are dependent on a particular patient among a plurality of patients using a patient-independent template program so that patient-dependent question programs are not transmitted through the communication network. The generating means inserts the question sets received from the database server

apparatus into the template question programs, *thereby retaining security of the questions to patients*. The question programs are used for providing medical doctor's questions to patients.

The "generating means" of the present invention (as recited in claim 1) is clearly distinguishable over the cited prior art in that upon receiving the question sets from the database server apparatus, the received questions sets are inserted into the template question programs to generate the question programs. Therefore, security for the questions presented to patients can be retained. No such feature or advantages are provided by Jeacock.

In the Advisory Action dated November 14, 2008, the Examiner relied on Jeacock for disclosing or suggesting all the features of the "generating means" of claim 1. However, in the Advisory Action, the Examiner relied on different sections of Jeacock (i.e., different sections then relied on in the Office Action) for disclosing or suggesting all the features of the "generating means." In particular, the Examiner relied on col. 3, line 59-col. 4, line 15; and col. 4, lines 26-37 of Jeacock for disclosing or suggesting all the features of the claimed "generating means" (as recited in claim 1).

As noted during the interview, Jeacock fails to disclose of suggest all the features and advantages of the "generating means" recited in claim 1. The "generating means" of the present invention (as recited in claim 1) is clearly distinguishable over the cited prior art in that upon receiving the question sets from the database server apparatus, the received questions sets are inserted into the template question programs to generate the question programs. Therefore, security for the questions presented to patients can be retained.

Conversely, in Jeacock, questions to be answered are pre-programmed (i.e., col. 3, line 59-col. 4, line 15; and col. 4, lines 26-37). Specifically, as described in Jeacock, the questions to be answered are pre-programmed, and the user can be assured that when he/she has completed the task, all the necessary matters have been covered (see e.g., col. 4, lines 8-11). Thus, in Jeacock, because the questions are pre-programmed, the pre-programmed questions must be transmitted through communication lines so security for questions to patients cannot be retained.

Conversely, in the present invention (as recited in independent claim 1), the client terminal receives question sets from the database server apparatus, the received questions sets

are then inserted into the template question programs to generate the question programs. Therefore, security for the questions presented to patients can be retained.

At the conclusion of the interview, the Examiner acknowledged the differences between the “generating means” of the present invention and Jeacock. The Examiner indicated that further consideration of the arguments presented during the interview (which have also been presented in the response filed on January 5, 2009) would be considered. Additionally, the Examiner also indicated that further search of the prior art would be necessary before making a final determination regarding the allowability of any claims.

The Applicants respectfully request that the Examiner withdraw the rejections presented in the Office Action dated August 5, 2008 and the Advisory Action dated November 14, 2008, and pass the present application to issue. The Examiner is invited to contact the undersigned attorney by telephone to resolve any remaining issues.

Respectfully submitted,

Hirohisa IMAI et al.

/Mark D. Pratt/

By: 2009.01.26 12:09:21 -05'00'

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January 26, 2009